

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

FETHI HEPCAKICI, JR.,

Plaintiff,

v.

PILOT TRAVEL CENTERS LLC,

Defendant.

CASE NO. 3:24-cv-05706-DGE

ORDER TO SHOW CAUSE


This matter comes before the Court on its own review of the record. On August 28, 2024, Defendant Pilot Travel Centers—a limited liability corporation (“LLC”)—removed this matter to federal court. (Dkt. No. 1.) Defendant states the Court has diversity jurisdiction over this proceeding under 28 U.S.C. § 1332 “because this is a civil action between citizens of different states and the amount in controversy exceeds \$75,000[.]” (*Id.* at 3.) Defendant claims Pilot Travel Centers is a citizen of Delaware and Tennessee because it is an entity organized under the laws of the State of Delaware with its principal place of business in Tennessee. (*Id.* at 4.) However, “an LLC is a citizen of every state of which its owners/members are citizens.”

1 *Johnson v. Columbia Properties Anchorage, LP*, 437 F.3d 894, 899 (9th Cir. 2006). Thus,  
2 Defendant has failed to properly establish diversity jurisdiction because it has not identified the  
3 citizenship of its members.

4 “The diversity jurisdiction statute, as construed for nearly 200 years, requires that to  
5 bring a diversity case in federal court . . . each plaintiff must be diverse from each  
6 defendant.” *Lee v. American Nat’l Ins. Co.*, 260 F.3d 997, 1004 (9th Cir. 2001). Failure to meet  
7 the requirements of the diversity statute for each defendant destroys “‘complete diversity,’  
8 rendering the entire case beyond the federal court’s power to decide.” *Id.* at 1005. “Absent  
9 unusual circumstances, a party seeking to invoke diversity jurisdiction should be able to allege  
10 affirmatively the actual citizenship of the relevant parties.” *Kanter v. Warner-Lambert Co.*, 265  
11 F.3d 853, 857 (9th Cir. 2001).

12 Accordingly, Defendant is ordered to show cause, no later than September 9, 2024, as to  
13 why this case should not be dismissed for lack of subject matter jurisdiction based on the failure  
14 to identify Defendant’s citizenship. Alternatively, Plaintiff may file an amended complaint by  
15 such date addressing the deficiencies identified herein.

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17 Dated this 3<sup>rd</sup> day of September, 2024.

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22 David G. Estudillo  
23 United States District Judge  
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